IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3151 OF 2007

Ketan Rajaram Patil. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

A.P.Mundargi i/b. S.V.Gavand
for the applicant.

Ms.S.D.Shinde, A.P.P. for the State.

Rahul Thakur for the complainant.

CORAM: V.C.DAGA, J.

DATED: 29th October 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with C.R.No.I-198/2007 registered with the Panvel Town Police Station, district- Raigad for the offences punishable under sections 498A, 306, 304(B) and 34 of Indian Penal Code.

3. The prosecution case is that the marriage between the deceased Leena, who was a practising advocate at Panvel, was solemnised on 28th May, 2003.

Deceased started residing at her matrimonial house along with her husband i.e. the present applicant; his parents and brother Sujit. Daughter was born from the said wedlock. After sometime due to some harassment at the hands of her husband and other relatives she went to stay to her parents. Ultimately, there was some reconciliation which made her to return to her matrimonial home. The deceased and her husband i.e. present applicant- accused started staying together. It appears that discord between them continued. Several allegations with regard to demand of money, harassment and cruelty have been made by the complainant, which, according to the prosecution, appear to have driven deceased to commit suicide.

4. The prosecution has opposed this bail application contending that the deceased, a practising advocate, who was commercially independent, was driven to commit suicide that by itself is sufficient to demonstrate the gravity and harassment which the deceased must have suffered prior to her death. The learned A.P.P., therefore, contends that looking to the gravity of the offence, this is not a fit case for grant of bail.

5. He further relied upon the reasons given by

the learned Sessions Judge in his order dated 31st August, 2007 passed in Misc.Criminal Application No.861/2007, whereby learned Sessions Judge refused to grant bail to the applicant- accused, which are cogent and need to respected.

6. Having seen the impugned order rejecting bail application, passed by the learned Sessions Judge and the submissions made, I do not see any case having been made out for grant of bail. Application is, therefore, rejected.

JUDGE